IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.254 OF 2005

Suresh Bhikaji Tikone ..Petitioner.

V/s.

Chagan Rambhau Tikone & Ors. ..Respondents.

Mr.S.A.Sawant for petitioner.

Mr.S.V.Sadavarte for respondent No.7.

Mrs.G.P.Mulekar, A.G.P.for respondent No.8.

CORAM : ABHAY S.OKA, J.

DATED : 13th APRIL, 2007.

P.C. :-

. I have heard the learned counsel for the parties. The seventh respondent has complied with the assurance given to this Court which is incorporated in the order dated 29th March, 2007. The deed of rectification dated 5th February, 2007 has been executed by and between 7th respondent and the purchaser (Mrs.Sharmila Ghatpande). By the said Deed of correction, the description of the property in the sale deed executed in favour of the purchaser has been amended and now it is stated that the purchaser has purchased a plot out of Gat No.306 of village Patan. The original deed of correction which is duly registered in the office of the Sub-Registrar has been

produced for my perusal and a xerox copy thereof is placed on record. The affidavit of the purchaser Mrs.Sharmila Ghatpande is tendered by the Advocate for 7th respondent. In the said affidavit, there is a categorical statement made by the purchaser that the plot which she has purchased has nothing to do with land bearing Gat No.309 and she has purchased a plot which forms part of Gat No.306. The original affidavit is taken on record and marked ‘X’ for identification.

2. Both the said documents now clarify that no part of the suit property bearing Gat No.309 has been alienated.

3. In this view of the matter, it is not necessary to take any further steps as against the contemnors.

4. Notice issued to the contemnors is discharged. Contempt Petition is disposed of.

5. Warrant issued against the contemnors stands cancelled.

(ABHAY S. OKA, J.)